IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

And
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 20391 of 2004

Between:

Md. Waheed Khan, S/o. M.A. Jabbar Khan,
R/o. H.No.8-2-686/16/2, Road No.12, Banjara Hills, Hyderabad.

..... PETITIONER

AND

1 The Joint Transport Commissioner, Khairthabad (Central), Hyderabad.
2 The Secretary, R.T.A., Khairtabad, (Central), Hyderabad.
3 The Inspector of Motor Vehicles, R.T.A- East, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the seizure of the Vehicle bearing No.AP-9-AG07648, Seized under Check Report Dt. 03.09.2004 as illegal and arbitrary and direct the respondents to release the vehicle in favour of the petitioner.

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondent Nos.1 to 3: GP FOR TRANSPORT

The Court, at the stage of admission, made the following:

Oral Order: (Per: The Hon'ble Mr. Justice Bilal Nazki)

Heard learned counsel for the parties. With their consent, the writ petition is disposed of at this stage.

It appears that the petitioner's vehicle bearing No. AP-9-AG-7648 has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

Writ Petition is accordingly disposed of. No costs.

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BILAL NAZKI, J

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S. ANANDA REDDY, J

Dt. 08-11-2004

Pvks/*

Nb:- Operative portion by wire at party's cost.

B/o pvks/*

To

1 The Joint Transport Commissioner, Khairthabad (Central), Hyderabad.
2 The Secretary, R.T.A., Khairtabad, (Central), Hyderabad.
3 The Inspector of Motor Vehicles, R.T.A- East, Hyderabad.

4.2CCs to the Government Pleader for Transport, A.P. High Court Buildings, Hyderabad. (OUT).

5.2CD copies

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